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Attorneys for Defendant
CONNECTU, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG,

Defendants.

DECLARATION OF EVAN A. PARKE IN SUPPORT OF CONNECTU, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONNECTU, INC.'S ADMINISTRATIVE REQUEST FOR LEAVE TO FILE ADDITIONAL AUTHORITY

Dockets.Justia.com

I, Evan A. Parke, declare as follows:

1. I am an associate with the law firm of Boies, Schiller & Flexner LLP, counsel to ConnectU, Inc. I am licensed to practice law in the District of Columbia and in the State of Illinois and am appearing in this case per an order of the Court granting my application to appear *pro hac vice*. I have personal knowledge of the facts and circumstances set forth in this Declaration. I make this Declaration pursuant to Civil L.R. 7-11 and 79-5(b).

2. Good cause exists for sealing ConnectU, Inc.'s Administrative Request for Leave to File Additional Authority. On June 23, 2008, the Court held a closed hearing in this matter due to concerns relating to the confidentiality of the terms of a settlement agreement, which were discussed at the hearing. The contents of ConnectU, Inc.'s Administrative Request for Leave to File Additional Authority relate to, and contain, information presented at that hearing.[1]

3. This Administrative Motion is being made pursuant to Civil L.R. 79-5, which requires a Court order to seal documents and does not permit sealing by stipulation.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 24th day of June, 2008.

/s/ *Evan A. Parke*

Evan A. Parke

[1] By filing this declaration, ConnectU does not waive any arguments or rights as to (i) the admissibility or inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-confidentiality of information relating to the purported agreement, or (iii) the enforceability or unenforceability of the purported agreement.

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 24, 2008.

Dated: June 24, 2008

/s/ *Steven C. Holtzman*
Steven C. Holtzman